

REMARKS

This responds to the Office Action mailed on June 29, 2007.

Claims 12-14, 16, and 18-20 have been canceled by way of this amendment. Claims 1, 6-8, 15, 21, and 25 have been amended. No claims are added. Thus, claims 1-11, 15, 17, and 21-27 are now pending.

For the convenience of the Examiner, Applicants' remarks concerning the claims will be presented in the same order in which the Examiner presented them in the Office Action.

Information Disclosure Statement

Applicants submitted an Information Disclosure Statement and a 1449 Form on October 26, 2005. Applicants received the 1449 Form from the Examiner with all except one document (EP 1315335A1) initialed as being considered. Accordingly, Applicants respectfully request that a complete initialed copy of the 1449 Form be returned to Applicants' Representatives with the next official communication to indicate that all of the cited documents have been considered by the Examiner.

Amendments to Claims 1, 6-8, 15, 21, and 25

Claims 1, 6-8, 15, 21, and 25 have been amended. No new matter has been introduced.

Independent claim 1 has been amended by inserting the phrase "wherein generating the set of associated router packets comprises determining the router packet length from pre-stored router packet length information that can be different from function to function, and".

Claim 6 has been amended to recite "The method of claim 1, wherein the router packet length information is stored in a router packet length table."

Claim 8 has been amended to depend from claim 1, "router" has been substituted for "function", and the following limitations have been added: "determining router packet length from pre-stored router packet length information stored in a router packet length table", and "monitoring network performance including latency of transmission of the router packets to the router; and updating values within the router packet length table in accordance with the network performance."

Independent claim 15 has been amended by inserting “wherein generating the set of associated router packets comprises: determining the function packet length and the router packet data length, wherein the router packet length is determined from a router packet length table; selecting a next segment of the function packet, wherein the next segment has a segment length that is less than or equal to the router packet data length; generating a router packet, which includes the next segment; and repeatedly selecting the next segment and generating the router packet until all of the function packet data has been included in the set of associated router packets;”, which was formerly recited in claim 16, now has now been canceled.

Independent claim 21 has been amended by inserting “wherein generating the set of associated router packets comprises: determining the function packet length and the router packet data length, wherein the router packet length is determined from a router packet length table; selecting a next segment of the function packet, wherein the next segment has a segment length that is less than or equal to the router packet data length; generating a router packet, which includes the next segment; and repeatedly selecting the next segment and generating the router packet until all of the function packet data has been included in the set of associated router packets”.

Independent claim 25 has been amended by inserting “wherein generating the set of associated router packets comprises determining the router packet length from pre-stored router packet length information that can be different from function to function, and”.

Support for this language may be found, for example, at page 14, line 19 through page 15, line 13 of the original disclosure.

Rejection of Claims 1-27 under 35 U.S.C. §102(b)
as Clearly Anticipated by Petersen

Claims 1-27 were rejected under 35 U.S.C. §102(b) as being clearly anticipated by Petersen et al. (U.S. 5,802,051).

As mentioned above, claims 12-14, 16, and 18-20 have been canceled.

The rule under 35 U.S.C. §102 is well settled that “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a

single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2D 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). MPEP §2131.

Petersen does not appear to disclose all of the structural elements recited in independent claims 1, 15, 21, and 25, as amended.

Regarding independent claims 1 and 25, as amended, Petersen does not appear to disclose *inter alia* “generating a set of associated router packets from a function packet received from a function packet source, wherein generating the set of associated router packets comprises determining the router packet length from pre-stored router packet length information that can be different from function to function, and wherein each router packet has a router packet data length that is less than or equal to a function packet length” [emphasis added].

Regarding independent claims 15 and 21, as amended, Petersen does not appear to disclose, for example, “determining the function packet length and the router packet data length, wherein the router packet length is determined from a router packet length table”.

For the above reasons, independent claims 1, 15, 21, and 25 should be found to be allowable over Petersen, and Applicants respectfully request that the rejection of claims 1, 15, 21, and 25 under 35 U.S.C. §102(b) as clearly anticipated by Petersen be withdrawn.

Claims 2-11, which depend from claim 1 and incorporate all of the limitations therein, are also asserted to be allowable for the reasons presented above.

Claim 17, which depends from claim 15 and incorporates all of the limitations therein, is also asserted to be allowable for the reasons presented above.

Claims 22-24, which depend from claim 21 and incorporate all of the limitations therein, are also asserted to be allowable for the reasons presented above.

Claims 26 and 27, which depend from claim 25 and incorporate all of the limitations therein, are also asserted to be allowable for the reasons presented above.

Additional Elements and Limitations

Applicants consider additional elements and limitations of the claims to further distinguish over the cited references, and Applicants reserve the right to present arguments to this effect at a later date.

Conclusion

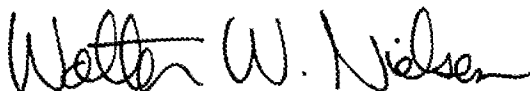
Applicants respectfully submit that claims 1-11, 15, 17, and 21-27 are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney, Ann M. McCrackin (located in Minneapolis, Minnesota) at (612) 349-9592 or Applicants' below-signed attorney (located in Phoenix, Arizona) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

INCHING CHEN ET AL.

By their Representatives,
SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, Minnesota 55402
(602) 298-8920

By /  /
Walter W. Nielsen
Reg. No. 25,539